Convoy Dispatch

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — October/November 2006 # 237

Teamster Election: The Power Is in Our Hands

The ballots are out and our union's future is in our hands.

For Teamsters who want a new direction and a stronger union, our job is simple: to work all the way up to the vote count on Nov. 14 to turn out the vote for the Tom Leedham Slate.

Leedham has won strong contracts and good benefits for 20 years by unleashing the *power of* Teamster members. Leedham's plan for winning this election is based on the same principle.

Since the beginning of the campaign, Leedham has told Teamster members, "I am the candidate, but this is your campaign. Get involved and together we can rebuild Teamster Power."

Working Teamsters have answered the call.

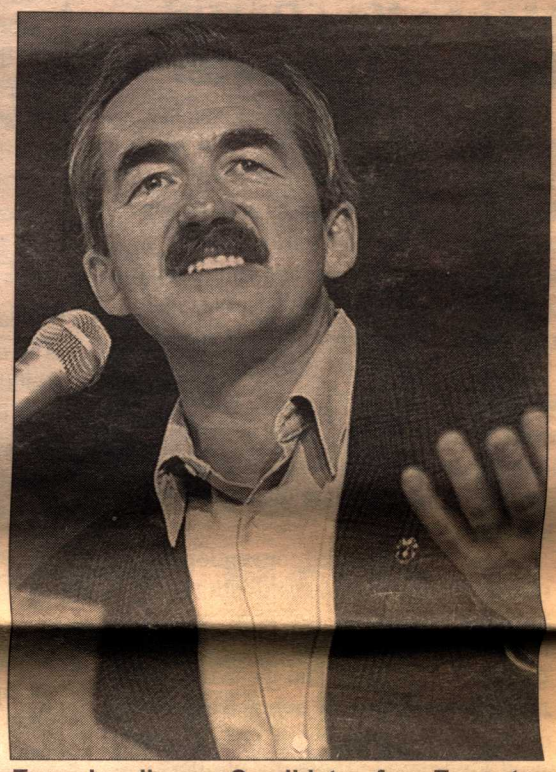
"I've never been involved in an International election before, but I've poured myself into this campaign," says Hank Miller, a 30-year Teamster from Boston Local 82. "No matter what local or industry, members tell me they feel like our union's power is slipping away and they want to know what we can do about it."

The challenge now is to reach enough Teamsters to make a change. There are 1.4 million of us spread out over nearly 40,000 worksites.

GET OUT THE VOTE!

"The Teamsters we don't reach are still not going to vote for Hoffa, not with his weak record. The danger is they won't vote at all," says Sandy Pope, candidate for General Secretary-Treasurer on the Leedham slate.

Low voter turnout has plagued Teamster International elections—and Hoffa is counting on it again. That's why he has avoided discussing the issues. Hoffa even ducked the official debate.



Tom Leedham, Candidate for Teamster General President.

Hoffa has built a campaign war chest of $3 million in donations from high-paid union officials. He has hundreds of International staffers in the field, and over 2,000 business agents who are pressured to support him.

The Hoffa machine can turn out a bottom-line number of votes, estimated at between 10 and 15 percent of Teamsters, or somewhere between 140,000 and 200,000 votes.

Will that be enough to win the election? That's up to us.

Working Teamsters can win this election. It's a matter of getting 200,000 Teamsters to pick up the ballot off the coffee table and mail it in. And we've got until Nov. 14 to make it happen.

"That's our challenge and our opportunity," Tom Leedham says. "We've got to reach 200,000 Teamsters and convince them to use their ballot as a weapon for change. We do that—and the greatest upset in Teamster history is ours."

More Dues Laundering by the Hoffa-Mack Campaign

The Mack Family has now been busted twice for laundering dues money into the Hoffa Campaign.

Chuck Mack (pictured at right), brother Steve, and brother-in-law Rome Aloise make a total of $600,000 in multiple Teamster salaries, but still feel the need to reach illegally into members' pockets to fund Chuck Mack's reelection bid for International Vice President.

See page 3 for details.

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Letters From Our Members

Get Out the Vote

Having lost a close vote for delegate, I urge all of you to help get out the vote for Tom Leedham. Make those phone calls I did not make. Remind your co-workers to vote. All Teamsters need to be aware of the issues and vote. That's the only way to truly "restore the power."

Al Hildestad
Local 90, UPS
Des Moines, Iowa

TDU Convention Makes You Proud to Be a Teamster

This past TDU Convention was my first, but definitely will not be my last. The experience was one that I will never forget. The brothers, sisters and activists who attended the convention seek knowledge to effect change and to create a better way of life for themselves and their fellow union brothers and sisters.

I met people from different crafts, working at UPS or Kroger's, with the exact same problems I face in the rail industry. This convention clearly is a place to learn and share ideas with fellow Teamsters.

I also learned at the convention that through our new affiliation with the Teamsters, the BLET can hold our national officers accountable for the decisions they make and the actions they take. I am proud to be a Teamster, I am proud to be a member of TDU, and most of all I am proud to join my brothers and sisters in the fight for what is right.

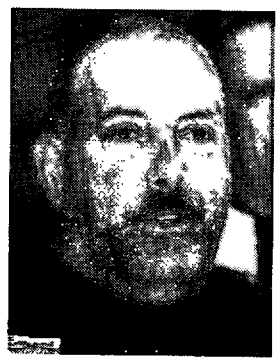
Chris Woods
BLET Div. 22, Vice Local Chair
El Paso, Texas

The Teamsters' Last Chance?

Please take a minute to think about how important your decision in this election will be and how it will affect you and your family's lives forever. This could very well be the absolute last chance we will ever have in our lifetime to return our union, not theirs, back into the hands of the members. Hoffa's name is in our union's history and that is exactly where it belongs! But our future is in serious jeopardy of returning to the Old Guard days of the past, where the members have no say, and the fat cats play at our expense. Example: record dues increase without a member vote; record health increases; major pension cuts; and working longer for less. It's now or never for positive new leadership. Let's give the Tom Leedham Slate the opportunity *we* deserve to prove themselves as leaders for a brighter and more prosperous future for us all.

Wayne Sharp
Local 89, Retired
Louisville, Ky.

Why They Fear Teamsters for a Democratic Union



Our union officials badger Teamsters for a Democratic Union because they are afraid of the membership finding out what they are doing.

Those who fear TDU must have something to hide from the membership, like multiple salaries and pensions and nepotism, not to mention weak contracts, failure to organize core industries, and a shrinking labor movement. When members realize how much they are paying their union officials in contrast to what the average union member makes, they wonder if they are getting their money's worth. This is especially so when members' pensions are cut, health costs go up, and wages do not keep up with inflation.

No wonder union officials try to make TDU a campaign issue. If it were not for Teamsters for a Democratic Union, the members would be left in the dark. It's not TDU that "sucks," it's arrogant, over-paid union officials.

Bob Leslie
Local 120, Cemstone
St. Paul, Minn.

Health & Welfare Is the Issue

I am a proud Teamster. The health and welfare issue is a potential election buster for Mr. Hoffa. Being a package car driver is wearing out my body. I fervently pray that I can retire at age 57 with 25 years in if I make it. I'm 44 years old with a bad back from my job. I hope the powers that be realize that we need to retire after 25 years as this is a physical, debilitating career and we deserve a decent retirement package. I point no fingers as I realize the trouble the fund was in so please resolve this issue regardless of who our next elected leader is. Remember, it's not the situation itself but how we react to it that counts!

Rob Shulin
Local 407, DHL
Cleveland, Ohio

Member Won't Retire from TDU

I retired from UPS in 1999, but I did not retire from TDU. I need TDU now more than when I was working. I urge everyone who retires to stay in TDU. We need protection in our retirement years for our pensions now more than ever.

Charles R. Miller
Local 79, Retired
Tampa, Fla.

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227. E-mail: tdudetroit@tdu.org Website: www.tdu.org

NY Office: 104 Montgomery St., Brooklyn, N.Y. 11225. Phone: (718) 287-3283. Fax: (718) 287-3287. E-mail: tdueast@tdu.org

E-Mail Your Letter

Visit our web page at **www.tdu.org** and use the link provided there, or e-mail your letter to **letters@tdu.org**.

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Larry Macdonald, Atlanta Local 728
Ed Michael, Salem, Ill. BLET Div. 724
Sandy Pope, New York Local 805
Joe Wright, Boston Local 82

Alternates:
Gary Brooks, Chicago Local 705
Delores Bowden, Chicago Local 726
Matt Latzo, Washington, D.C. Local 639

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in Sept. 2006 for one year. Our Rank & File Convention had 250 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BYLAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs should be elected by regions. No more trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he or she makes. No officer should make more than the highest paid working members in their jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for members, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

UPS Management Campaigns for Hoffa

Give UPS management credit. When they decided to back Hoffa, they didn't go halfway.

Not only did UPS management give Hoffa unlimited access to campaign inside their largest facility, the UPS Worldport hub in Louisville: UPS management literally chauffeured Hoffa around the grounds.

Management drove Hoffa and his entourage from building to building in a company van so he could campaign throughout the facility on Oct. 13, just as ballots were arriving in Louisville.

Are these the actions of a company that is worried about having to face Hoffa across the bargaining table—or a sign that UPS is eager for another 'Best Contract Ever?'

UPS management's warmth toward Hoffa has a long history. When Hoffa first ran for office, a UPS lobbyist was caught donating cash to his campaign. After he took office, industry analysts declared that UPS was "in love with Hoffa" (Source: *Traffic World*).

Before the 2002 contract talks, UPS spokesperson Norman Black told the media that, "We are certainly not dreading or fearing negotiations or anything like that. The Teamsters under its current leadership has shown a willingness to work with us...We're very confident."

UPS Teamsters found out why after Hoffa gave management a six-year deal that delivered pension cuts and toothless protection from excessive overtime and supervisors working. They've built up nonunion subsidiaries under Hoffa's nose.

Leedham Campaign Strikes Back

After Hoffa got the Louisville tour, the Leedham Campaign immediately filed an election protest over the company's illegal contribution to the Hoffa Campaign.

As a result, UPS was forced to give Secretary-Treasurer candidate Sandy Pope equal access to the Worldport hub. For breaking the rules, the Hoffa Campaign had to pay for Pope's airfare to Louisville.

Pope and running mate Mark Huckleberry campaigned at Worldport on Oct. 16. Pope told *Convoy,* "We had a fantastic response. Teamsters know what it means when management supports Hoffa."

UPS is far from the only employer that has been campaigning with Hoffa. Safeway, Yellow-Roadway, and Dial Corporation are just some of the other Teamster employers that have been caught supporting Hoffa.

The Mack Family File:

The Mack Family has now been busted twice for laundering dues money into the Hoffa Campaign. Chuck Mack (center), brother Steve (left) and brother-in-law Rome Aloise (right) make a total of $600,000 in multiple Teamster salaries. Can't they afford to make their own campaign contributions without dipping into the members' pockets?

Hoffa Campaign Busted for Laundering Dues Again

For the second time, the Election Supervisor has caught the Hoffa campaign taking union dues to fund their campaign.

On Oct. 3, the Election Supervisor ruled that Steve Mack, the brother of Hoffa running mate Chuck Mack, laundered $14,000 in members' dues money into the Hoffa-Mack Campaign.

Hoffa's Special Assistant Rome Aloise (Chuck and Steve Mack's brother-in-law) was found guilty in August of laundering $15,720 of members' money into the Hoffa campaign.

So far the Mack Family has been caught stealing $30,000 in members' money for the Hoffa-Mack campaign. The Mack family gets over $600,000 in Teamster salaries per year. You would think they could donate their own money, like working Teamsters do.

Despite the dues-laundering scheme, Hoffa has kept both Mack and Aloise on the International payroll where they receive multiple salaries.

The Hoffa-Mack dues laundering is now under investigation by the Independent Review Board. The IRB has the power to charge and remove officials who embezzle or divert union funds for personal use.

Steve Mack has appealed the decision. Additional Local 78 members' dues money is now being siphoned away as part of this scheme: this time to pay for Mack's legal bills.

The Election Supervisor's investigation and decision (2006 ESD 363) is available online at www.ibtvote.org.

Campaign Spending Report

Records Show Hoffa Campaign Bagged $3 Million from Officials

Forms filed by the Hoffa campaign with the Election Supervisor show that the Hoffa Campaign and candidates have spent some $3 million, with approximately 90 percent of that coming from Teamster officials, many of them on Hoffa's payroll.

Forms filed by the Leedham campaign indicate that about $300,000 was raised and spent, most of it from working Teamsters. Forms filed by TDU, an independent movement of Teamsters backing Leedham, indicate another $100,000 was used to support Leedham.

Leedham has been outspent by more than seven-to-one in the campaign, with the bulk of Hoffa's big money coming from those on the payroll. As shown on this page, some of it was even money laundered from members' dues money.

However, Hoffa has not gotten the bang for his buck that Leedham has. Much of Hoffa's money is wasted on overpriced consultants, staff, fancy events, and relatives. For example, Hoffa's son David raked in nearly $200,000 for legal work on election protests, but he doesn't win any!

The Leedham campaign and TDU have paid less than a tenth of that, but win important protests, and have won new Rules (including the rule requiring a debate).

Hoffa has paid over $74,000 to a corporate consultant whose big clients are the Republican Party and nonunion employers, just to run a little website that lies about TDU. Hoffa's PR spinmeister Richard Leebove has bagged $80,000. And the list goes on. These guys spend their campaign money the same way they often spend members' dues money.

Ballot Count Starts November 14

The International Union vote count will start on Nov.14 in Alexandria, Va. and will take approximately four days for the Election Supervisor to complete. The process will be open to a number of observers from the Leedham and Hoffa slates.

The count will be done one region at a time, and on a local-by-local basis. TDU will make the ongoing vote count available and post it online.

If you would like to attend the ballot count and serve as an observer for the Leedham Campaign, contact the campaign immediately at (718) 287-6156 to see if observer positions are still open.

Being an election observer is considered union business, so your employer has to let you off work (without pay, of course).

The Pension Protection Act: The Good, the Bad and the Ugly

The misnamed "Pension Protection Act" of 2006 will go into effect in 2008. Here we provide a summary of some of its impact on Teamsters. Thanks to attorney Ann Curry Thompson and the Pension Rights Center for their help interpreting this law for Teamsters. For a copy of "Frequently Asked Questions" about the PPA by Ann Curry Thompson, contact TDU.

Above: Attorney Ann Curry Thompson presents a workshop on pension rights at the 2005 TDU Rank and File Convention in St. Louis.

What Are Some Positive Aspects of the New Law?

There are more negatives than positives. On the positive side, it could make pensions more secure in several major ways. First, it requires fund advisors to identify and fix problems proactively. Second, the new law will require that fund trustees provide frequent and better information about the health of a fund and give participants more access to the fund's actuarial and investment reports. TDU has fought for this right.

The law could also rein in fund trustees who might adopt irresponsible interest rate assumptions (the rate at which fund assets are projected to grow) and actuarial assumptions (the rate of retirements, deaths and forfeitures at various benefit levels provided by the fund).

What About the Negatives?

There are many. The overall effect of the law will be to encourage policies that lead to full funding, sometimes at the expense of reasonable and affordable benefit improvements. Even if funds are not in endangered or critical status, employer trustees and fund managers will have an excuse for limiting improvements.

It may also have the long-term effect of discouraging some employers from either joining or maintaining defined benefit plans because it requires funds to move to full funding at a relatively fast pace. For example, the amortization period for *changes* in benefits and actuarial assumption is shortened from 30 to 15 years, putting pressure on the employer to pump more money into the fund in a shorter period of time.

Red Zone, Yellow Zone

The law describes funds as "endangered," "seriously endangered" or "critical" status. What do these mean?

The provisions relating to "endangered" and "seriously endangered" status are the so-called "Yellow Zone" amendments to ERISA. "Critical status" is called the "Red Zone."

A plan is "endangered" if: It is 80 percent funded or less (note: Many Teamster funds will fall into this category) or if there is a "funding deficiency" in the Funding Standard Account in the current year or one is projected in any of the next seven years. If a fund meets both criteria, it is "seriously endangered."

A plan is in critical status if it is 60 percent funded or less *and* if there is a funding deficiency or one is projected in the near term. A plan in the "Red Zone" can cut not only future benefits, but in some cases can even cut accrued pension benefits, a roll-back of a legal protection won over 20 years ago.

What Does This Mean for the Largest Teamster Funds?

The Western Conference Fund is 100 percent funded, and none of this applies to it. They really have no excuse whatsoever for not restoring full benefit accrual. The reason the cuts in the West are still in place is that Teamster trustees have made a policy decision to go along with unnecessary pension reductions proposed by the employers.

The Central States Fund and the New England Fund will very likely be in the "Yellow Zone" (also called endangered status) because they are less than 80 percent funded. A Yellow Zone Fund must develop a funding improvement plan. *The union can bargain over its terms, so union leadership is critical to protecting members' interests.*

In the case of Central States, the law actually provides some protection, in a strange way: the union trustees have already agreed to huge cuts in pension accrual, down to one percent of contributions. The law provides that no fund can ever pay less, so it is already at the legal minimum.

Also, a plan in the Yellow Zone cannot raise benefits until its funding level improves. This makes it critically important to bargain increased employer contributions, bringing part-time UPSers and UPS Freight into the Central States Fund, and to step up organizing as well.

A strong bargaining plan in the national contracts will be an important factor in ending pension accrual cuts, providing medical coverage to retirees, and protecting our pension plans. The other key is leadership from union trustees, who hold 50 percent control of the funds. Teamster trustees wield 50 percent control of the fund but have not used their authority to counter employers and defend members from benefit reductions.

How Can I Find Out More About My Own Fund?

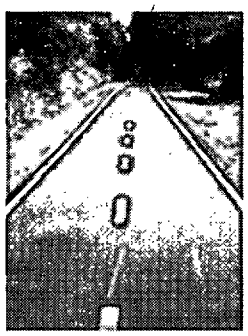
One positive aspect of the new law is that funds will require that more detailed information be given to participants starting in 2008.

Presently the best single source of information is the annual "5500" form your pension fund must file. These are just becoming available now for the year 2005. And certain information, such as the funding level, is often for the beginning of the year, and thus about two years old by the time you see it. These forms are available to any participant; contact TDU for info on how to obtain them.

Road Ahead for Pension Justice

It's up to Teamster members to lead the fight for pension justice.

The past three years have proven that the Teamster leadership's approach is a complete failure. They lied to sell us contracts, let the employers take over our pension funds, slapped Teamsters with the first-ever cuts, and tried to cover it all up.



Members have learned to fight back, and in some cases, gain ground.

We need action around the upcoming contracts. Contracts covering over 300,000 Teamsters in national agreements expire in 2008. With or without early bargaining, we should focus on building campaigns in 2007 to win back our benefits. Neither UPS nor the freight employers want disruptions or even uncertainty during this critical growth period for their businesses. This puts us in an excellent position.

We need rank and file networks that have the ability to vote down any offer that fails to improve benefits.

We need local action as well. We need to continue to build TDU and Pension Improvement Committees in our locals and link nationally to educate Teamsters and retirees to exert the kind of power we need to win.

Teamsters are hungry for information and for positive action around benefits. It's up to us to help turn that concern into action and provide a positive plan to win.

TDU will be there with information, with legal help, and with a network to help build this movement as broad and strong as possible.

Get the word out! Distribute *Convoy Dispatch*. Monthly bundles come in sizes from 10 copies ($5/month) to 100 copies ($14/month) or more. To order or for more information: **(313) 842-2600.**

Winning New Rights in Your Local Through Changing the Bylaws

"Our last contract was terrible. Can we get the right to elect our bargaining committee?"

"Our local officers keep raising their salaries. Can we put limits on them?"

"Our local elections are a joke. Can we get some protections that will make them more fair?

Yes, there is a way to gain new rights and protections like these. Over the years Teamsters in many locals have organized to change the bylaws of their local unions, winning valuable new rights that help members protect contracts, benefits and working conditions.

Bylaws are the constitution of your local union and they define your rights and responsibilities as a local member. In many locals bylaw changes can only be proposed in January, so the fall is a good time of the year to start putting together a plan and a campaign.

By-What?

Many members are probably not aware that the local even has bylaws. Even when they do understand, they may not feel that strongly about some legalistic document.

So you've got to focus on issues that matter.

"Seeing what other locals did was instrumental for us," Local 82 member Joe Wright explained after they won a bylaw change vote in 2006. "We sat down and started going through the bylaws but just got bogged down. Then we found out from TDU what members in other locals had done and that made it easier to focus in."

Local 82 members succeeded in reforming their local bylaws after a campaign for positive changes.

Voting on a Bylaws Amendment

Most local bylaws have a similar procedure for amendments: after a proposal is properly submitted (often this must be in January), it is read at three union meetings and then voted at the third one. So you will need an organized plan for turning out supporters at that third meeting. Some local bylaws state that changes have to be approved by a two-thirds majority of those voting.

Pick Your Issues

If members are fired up about an issue your chances of getting their support will be greater. So timing can help. Rather than focus on issues that members haven't cared about for a while, zone in on the one that packs the most meaning for members at this time.

Promote Changes with Good Materials

"The way we presented the changes helped a lot," Joe Wright pointed out. "There was a guy before in our local who proposed a bylaw change and handed out a mimeo sheet that just looked like a lot of chicken scratches. We made our flyers as professional as we could and put everything in layman's terms, as well as technical, so it would be clear. Otherwise you would lose a lot of guys."

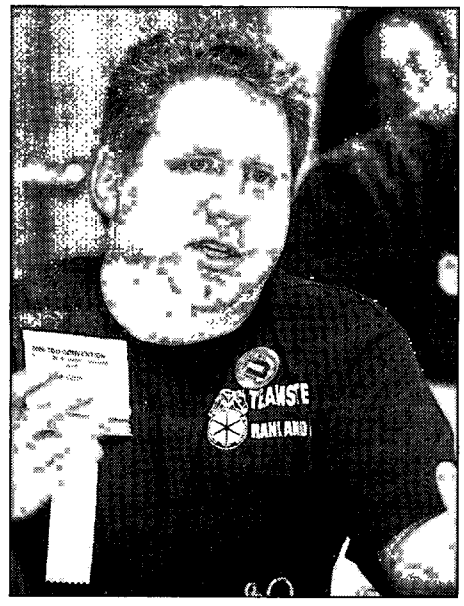
"We put everything in layman's terms so it would be clear."—Joe Wright (at right), Boston Local 82, describes how activists put a Membership Bill of Rights into their bylaws.

Get the Language Right

Since bylaws are legally binding documents, it's important to get the language in your proposal right. In some cases, Hoffa has vetoed reforms approved by local union members because of language technicalities.

TDU can help on this front. We have copies of bylaws language that has been approved by the IBT and lawyers who can review your bylaws proposals before you run into a legal challenge.

For legal and organizing advice on bylaws reform campaigns, contact TDU today.



Updated $100,000 Club Available at www.tdu.org

TDU published the annual $100,000 club report in the last issue of *Convoy*, but since then we've received additional information that updates information on the following locals: 726 in Chicago and GCC Local 1-L in New York.

We regret the previous omissions. To see the updated report, visit us online at www.tdu.org.

Available from TDU

TROUBLEMAKER'S HANDBOOK 2

HOW TO FIGHT BACK WHERE YOU WORK AND WIN!

"In our local, the Troublemaker's first edition is the most dog-eared volume on our bookshelves. Troublemaker's 2 is full of ideas and tools activists can use to build a stronger, democratic union and win more rights on the job. A must-read for leaders who are rank and file unionists."

Tom Leedham, Secretary-Treasurer, Local 206 Oregon

Troublemaker's Handbook 2: This book is a workplace-strategies manual from the viewpoint of unionists on the front lines, filled with organizing lessons from 72 authors and hundreds of activists. No matter how seasoned an activist you are, this book will show you new ways to turn the tables and win some power on the job.

Send me ___ copies for $24 each (includes shipping). Total $_____

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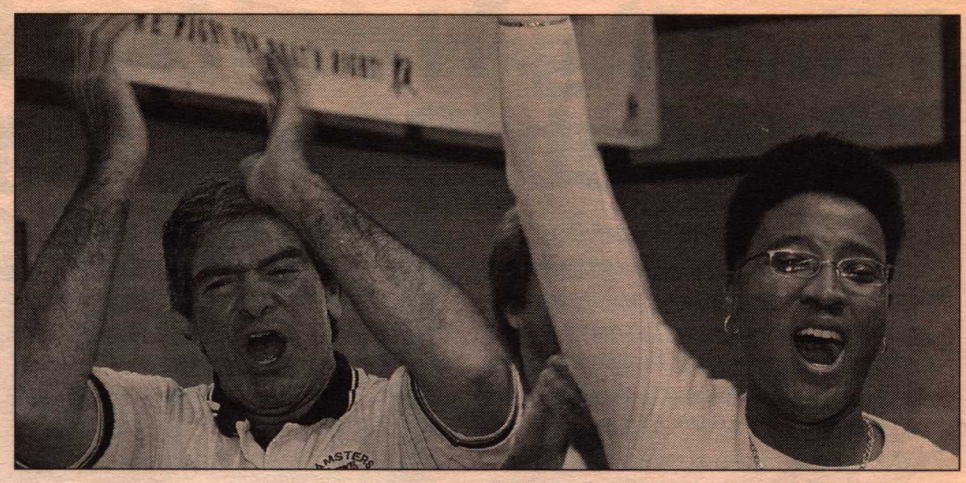
For more books or info: (313) 842-2600
www.tdu.org tdu@tdu.org

Examples of Bylaws Changes Won in Teamster Locals

Teamster members in different locals have won many new rights, like:

- ☑ Right to elect shop stewards by secret-ballot vote.
- ☑ Right to elect rank-and-file representatives to contract negotiating committees.
- ☑ Right to a mail ballot and independent supervision of local officer elections.
- ☑ Right to vote on any proposed increases in officers' salaries.
- ☑ Right to have contracts and bylaws translated into Spanish.
- ☑ Right to membership veto on pension fund trustee appointments.

2006 TDU Convention Keeps Our Movement Strong



Former Freight Official Reveals Hoffa's Moneyball Politics

Tom Griffith was a freight driver before he was elected president of Harrisburg, Pa. Local 776 a little over 20 years ago. He was Eastern Region Freight Director for several years. He knows the Hoffa administration from the inside and talked about the reason he retired. The following is adapted from his address to the TDU Convention.

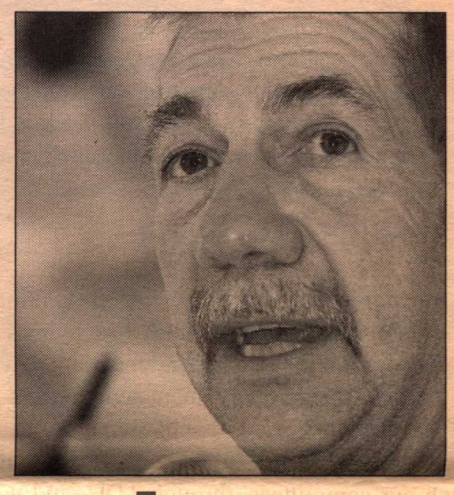
I started working at the IBT, it didn't take me long to realize that this was not going to work. I guess the best way to sum it up is that when officials under me were bickering about their positions and how much they were all gonna get paid, Hoffa sat me down and said, "Remember one thing–*it's always about the money.*" That, I believe, was the turning point in my career, because I always thought it was about the members.

International Vice President Phil Young told me Hoffa was upset I was leaving, so I went to see him. "Listen," Hoffa said. "You're not allowed to retire, I'll give you more money."

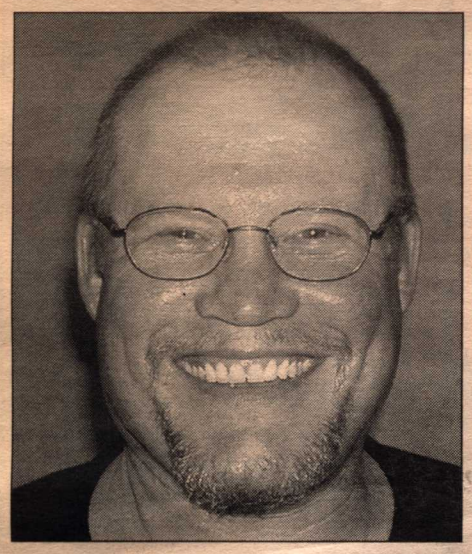
I said, "Jimmy, remember when you set me on the couch at the Pennsylvania Conference and you said 'It's always about the money?' " He said yes, and I said, "It's not about the money"—and then I left.

I thought about a slogan that fits Hoffa: It's not what I can do for the union, it's what the union can do for me. But I feel good about this election, a lot better than I felt about the last one.

I don't believe people really had enough of a dose of Hoffa on the first round, but I'm pretty sure now, from the people I've talked to, that on the second dose, they're ready for a change, and I feel real good about this election.



New Steering Committee Members Share Thoughts on TDU's Role



RICK SATHER,
Local 638, *Star Tribune*
Minneapolis

I first heard about TDU in the mid-80s, through a newspaper article in the Minneapolis *Star Tribune*, and through some of the guys at work. But it wasn't until 1989 that I became a member.

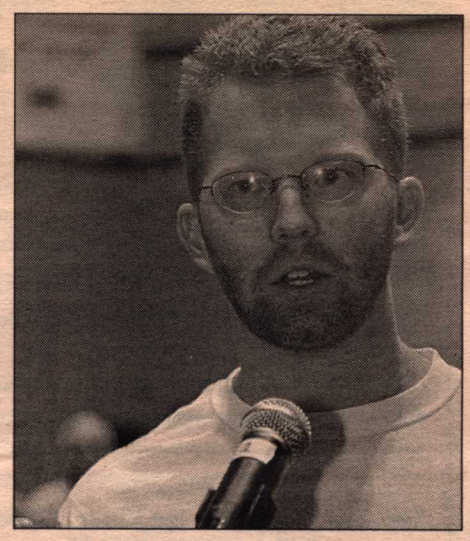
I had recently been elected to the bargaining committee, and we were facing a no-strike clause similar to the one that the San Francisco Teamsters have faced [see *Convoy* #236]. Before we could even get a leaflet to vote it down, Teamsters and other union members from around the city appeared at the gate with petitions urging us to vote this clause down.

They didn't want a no-strike clause in our contract to be appearing in their contracts when their negotiations came around.

This experience proved to me that there was a whole lot more out there than what I'd been doing on the bargaining committee. I didn't want to just make decisions and then tell members how to vote, which was how it worked in my local.

I pulled a union brother aside. I didn't know him too well, but I asked "How do I get in touch with TDU?" He smiled at me and said, "We are TDU." I've been an active member ever since.

I decided to run for the ISC this year because we have a lot of work left to do, in the Teamsters and the rest of the union movement. I went to my first TDU Convention in 1991, two years after becoming a member. When it was over, I came back to members on the floor and told them, "I learned more about our union and the labor movement in this one weekend with TDU than I have in the past 15 years as a Teamster." TDU has the kind of energy and education that we need to change things.



JOE SEXAUER
Local 743, University of Chicago
Chicago

I got involved in TDU because of the local reform movement in 743, the New Leadership Slate. Without TDU, we would not have caught the corrupt officers stealing our local elections, or have the hope to turn our union around.

I decided to run for the ISC because it helps us to be connected to the national movement. In Local 743, we have over 100 local contracts; we are not part of the Master Freight Agreement or anything that would naturally tie us to other workers and locals. Our local administration isn't interested in connecting us to national and international issues.

"Being a part of TDU makes being a Teamster mean something. It's the difference between action and words, winning and losing."

Being a part of TDU makes being a Teamster mean something. It's the difference between action and words, winning and losing. I'm looking forward to being on the ISC, working in solidarity with Teamsters across the country to make our union a strong and democratic one.

For the complete listing of the International Steering Committee elected at the 2006 TDU Convention, see page two. The Steering Committee has 15 members and three alternates.To get in touch with one of the Steering Committee members, contact the TDU office.

Members Know 'We Are TDU'

Every year, hundreds of Teamsters travel across the country to attend TDU's Rank and File Convention. They come for the educational workshops. They come to learn more about what is happening in our union. But most of all, they come to build an organization that speaks the truth and fights for a stronger union.

Tommy Burke and Dolores Bowden (see articles below) appear to be two very different types of Teamsters. Burke is a truck driver from rural North Carolina who joined TDU in 1989 to fight for pension reform.

Halfway across the country, Dolores Bowden works in the public sector for the City of Chicago. She joined TDU two months ago to work on battling corruption and poor representation in her local union.

But maybe Burke and Bowden aren't so different. They both are committed not just to changing their own little slice of the world, but to building a network of Teamsters for a Democratic Union that brings the best of activists all across North America together to be a resource for all Teamsters. They know that, as one union brother told Rick Sather (see opposite page), "We are TDU."

Rank and File Hall of Fame Award Recognizes Long-Time Activist

Rank and File Hall of Fame

On Friday night, Tommy Burke (right) of Local 391 in North Carolina was inducted into the Rank and File Hall of Fame for 30 years of dedication to the movement, and 20 years of work on pension justice. He was presented the award by Frank Bryant (left) of Local 391.

Burke told the crowd, "I have been fighting the fight a long time. We members in North Carolina formed a Pension Improvement Committee in 1986, back when I had never heard of TDU. In 1989 I got hold of a *Convoy Dispatch* and read that another pension improvement committee was trying to do the same thing we were.

"I called TDU and arranged a meeting in North Carolina and I think it was one of the biggest meetings that TDU had ever had. From there on we fought the fight through our committees, through TDU, and it resulted in all the benefit improvements of the nineties.

"That did not happen without TDU. Everybody needs to recognize that. I didn't expect this award tonight, but I do appreciate it."

TDU Convention Helps New Members to Rally the Troops Back Home

32nd Annual

TDU Rank and File Convention

Crowne Plaza Chicago O'Hare

Nov. 2-4

2007

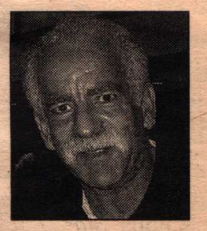
Make Your Plans Now!

"This is my first experience at the TDU convention and it was great for me. For 27 years I've been in the dark about a lot of things about the Teamsters. It's a shame that you pay your money to these people who are supposed to work for you, and you hear messages like, 'You should be glad you got a job.' When I think about the things that I know now, that I didn't know for 27 years, I feel good to be here. And for every time y'all have a convention, I'm going to try to be there, because I learned a lot. And I'd just like to say, I'm glad to be part of this family."

John Williams, Local 237, New York

"Let me thank you for being in existence. My first real dealing with the Teamsters—our union just merged into the Teamsters two years ago—was when Hoffa's special assistant Rome Aloise told us, 'If you guys throw up a picket line, we'll cross it.' Then, before we could even get strike sanction, they took it away from us. You can't get guys in my shop to wear Teamster T-shirts while they're working. I'll go back and tell them of your existence. Without TDU there is no hope for the Teamsters."

Kerry Garza, GCC Local 4N, San Francisco



"This is my first convention. I enjoyed it, I felt the love. I have obtained a lot of information, a lot of useful things for me to take back to Chicago and get out the Leedham vote. I will let them know that the TDU stands for 'Teamsters for a Democratic Union,' but what I felt in this hall these last couple of days have been 'Teamsters Dedicated and United.' Thank you."

Delores Bowden, Local 726, Chicago

Legacy of the "Best Contract Ever"

Challenges We Face in the UPS Contract

Mention the "best ever" contract of 2002 to UPS Teamsters and you'll probably get a roll of the eyes. But the issues behind the contract are serious.

With Hoffa agreeing to early negotiations, now is the time to look carefully where our union stands relative to UPS management.

First-Ever Benefits Cuts

The top UPS priority is to turn back the clock on pension benefits. *For the first time ever, UPS Teamsters covered by our largest and best pension funds have been hit with cuts.* Thirty-and-out and 25-and-out benefits for Central States members have been eliminated (except for years already accrued by 2003). Changes in medical providers in many areas have resulted in health coverage cuts.

Some Teamster funds have so far avoided making cuts. But the overall trend in benefits has shifted from improving pension and health coverage for all UPS Teamsters to a establishing a multi-tier benefit situation, where members doing exactly the same work in one region receive worse pensions than members in other regions.

Part-time workers in the Central Region, Southern Region, North and South Carolina and Colorado are still stuck in the company's pension plan, with no money going to support our union Central States Pension or Health and Welfare Plan.

UPS funnels the youngest and healthiest participants into their own fund. The Central States Pension and Health funds are robbed of much-needed contributions. As a result the Central States Funds are burdened unnecessarily and member benefits are jeopardized in the long run.

De-Skilling Jobs More than Ever

Meanwhile, UPS has implemented one of the most revolutionary changes in their operations in decades. The new sort and delivery systems (PAS/EDD) are an attempt to shift delivery knowledge and expertise from individual drivers to management. While the start up of the new system has been rocky, UPS has been able to ratchet up production demands for pre-load and package car members. In the process, package and preload jobs are gradually becoming more like assembly line work.

More Work than Ever from Fewer Workers

Package car drivers are all too familiar with the problem of excessive overtime. Despite some improved language on this issue last contract, the problem has become worse. Rather than hire more drivers, management forces some drivers to work days of ten, 11 or more hours. Requests for relief are ignored. Grievance panels, at best, only partially deal with the problem.

The age-old problem of supervisors doing bargaining unit work is another means that UPS uses to reduce the number of good union jobs.

Less Progress than Ever on Full-time Jobs

UPS has tried to make some Article 22.3 combination jobs as undesirable as possible. At the get-go in 1997 they refused to abide by the language. In 2002 the Hoffa administration gave UPS two years during which no jobs were created. Some members and locals doubt that all the jobs won have been retained. Supposedly 15,000 full-time inside jobs have been created to date, by combining some 30,000 part-time jobs.

First-Ever Changes Without Votes

UPS implemented schedule changes on Teamsters in New England and in Jacksonville, Fla. In both cases the International went along with the deal and refused to allow members the right to vote.

First-Ever Nonunion Expansion

Work erosion via subcontracting is not only on the increase but has entered an entirely new dimension, thanks to UPS's new divisions (Supply Chain Solutions, etc.). For the first time ever UPS has a large and rapidly growing nonunion domestic operation. Overnite is the largest, but not the only nonunion subsidiary. UPS employs tens of thousands of nonunion drivers, warehouse and clerical workers who handle shipping, packaging, assembly and other work for major corporations. *This cancer could seriously undermine our bargaining power unless it is dealt with now.*

What Will It Take to Win Real Improvements?

The current (2002) contract has been a period of serious threats to UPS Teamsters. We need leadership that can chart a new and bold road forward. We need to mobilize every last bit of our potential power. We need real leverage, and we can't give away the leverage we have by playing management's game of settling early and ignoring the growing problems.

Build a Contract Campaign at UPS

"We need to be building for a contract campaign to rally the troops and counter the lies UPS has been spreading the last few years.

"UPS needs labor peace. Since we are in bargaining two years early, we need a plan to get what we need too."

Randy Brown
President, Local 728
Atlanta

PAS in the Press, and How It Really Works

By George Kieffer, adapted from the www.denverbrown.com website.

UPS continues to get good press concerning its PAS system.

Everyone from technology journals to the main stream press have sung the praises of Package Flow Technology and the Preload Assist System.

Let's look at a few of the stories about PAS to see how they compare to reality. ***Optimize Magazine:*** "It helps managers ensure that drivers are not overdispatched and that last-minute load changes to a driver's car are minimized."

Well...UPS uses PAS to justify putting more work on each car. Drivers are consistently over-dispatched, but now it's not your supervisor's fault anymore. It's "the computer." Last minute changes are only minimized if your dispatcher keeps his fingers off the buttons. And last minute changes cause havoc to the load.

HighBeam Research: "The automated system...is designed to reduce the number of misloaded packages as well as headaches for drivers."

Well...I hate to be the bearer of bad news, but misloads and headaches are as abundant with PAS as they were with the old system. Misloads may be worse than ever. And certainly more spectacular.

USA Today: "It lets them do what they do best, and that is to service our customers, build relationships with them."

Well...One of the goals of PAS is increased productivity. That means more stops per hour. That means less, not more, time to spend with the customer.

Optimize Magazine: "This approach provides the customer with a consistent, reliable service provider."

Well...With PAS, area boundaries are a thing of the past and routes fluctuate every day. There is no consistency to the stops and many customers see two or three different drivers a week. Of course, what's a morning stop on one driver's area may be an afternoon stop in the next route, so customers actually have less consistency with PAS.

Information Week: "This cuts down on the need for loaders to memorize different delivery routes, a skill that normally requires three months of training. With the new labels, training takes just a few hours."

Well...The company may only be training it's loaders for a few hours and the loads show it. What's more surprising is when your loader calls in sick and a supervisor loads your car, the load is almost unrecognizable. I guess the supes must not be trained at all.

USA Today: "The technology also will cut millions of miles in travel for UPS drivers, reducing fuel costs."

Well...That's a nice thought, but the system gets bogged down by poor looping and lack of area knowledge. The routes were looped from maps and the wealth of driver knowledge was ignored. Consequently, the shortest and most of efficient way to run each area and save miles is seldom the PAS-looped way.

Material Handling Management: "The end-result of the program has been that it's taken a lot of stress out of the job for the pre-loader and driver, and put more accuracy into the delivery process."

Well...My God, are they talking about UPS?

What We Need From Bargaining

Aggressive Contract Proposals Needed for UPS Contract

We all have high hopes for improvements in our UPS contract, but an overarching goal has to be to strengthen our union and secure our future. With that in mind, concerned UPS members and leaders are looking at what it will take in our contract to undo problems in the current contract, and protect our future on the job and in retirement.

Secure our Pension & Health Benefits

- Provide sufficient funding to strengthen our funds and undo the pension cuts of the past two years.
- End the benefit cuts and restore 25- and 30-and-out to Central States Teamsters.
- Bring all Teamsters into the union health and pension funds. (End the practice in the Central States Fund of keeping part-timers, the youngest and healthiest participants, in separate *employer* funds.)

Health and Welfare

- Maintenance of benefits (as already in place in the West).
- Protect our future with unionization of UPS.
- Provide a fair "card-check" and neutrality agreement for UPS Freight and all nonunion subsidiaries, to bring tens of thousands of UPSers into our union and our pension plans.

Wages and Pay Progression

- Raise part-time starting rates to a minimum of $12.50 per hour.
- Reduce progressions and the number of pay tiers by bringing all employees up to union scale within six months.

End Excessive Overtime

- Double time for all hours worked over ten per day.
- Minimum of five eight-hour days per month, if requested.
- Automatic penalty of double time for all hours worked if eight-hour request denied.
- Eliminate "complete assignment" from overtime relief language.
- Management must provide adequate cover help to accommodate overtime release requests (other drivers will not be forced to pay the price for overtime accommodation).
- Mechanism in place to require hiring more drivers in centers with excessive overtime.

End Subcontracting our Jobs

- Automatic penalties of triple pay for subcontracting.
- Forbid non-bargaining unit employees from delivering packages to UPS facilities within the same shipping zone.

Improve and Increase 22.3 Jobs

- Upgrade pay of combo positions to reach package-car rate during the life of the new agreement.
- Part-timers not forced from their preferred job as a result of full-time job creation.
- Back pay and penalties if full-time jobs are not bid and filled by July 31 of each year.
- Create 3,000 new 22.3 jobs per year, with no years skipped as was done in the current contract.

Protect Against Unfair Production Standards

- Management must not post or publicly distribute production related information about individuals or groups.

Restrictions on Supervisors Working

- Limit supervisors doing bargaining work for training purposes to a maximum of one hour.
- Triple-time penalties paid to grievant or highest seniority employee if no grievant named, minimum of one hour pay for each incident of supervisor working.

Grievance Procedure

- Right to strike over deadlocked grievances. Bring the "hammer" in the freight contract to the UPS contract.

We Have the Power to Stop UPS Attacks and Win Real Gains

UPS learned a major lesson in 1997: that working Teamsters can unify and use their power. Then, like now, UPS did everything possible to divide members and keep our union on the defensive. Despite management's best efforts, members took a strong and clear stand that got the attention of the entire world.

We have that same potential—and more even—today to take on and win a contract fight at UPS. Here are five reasons why.

1. **The legacy of 1997** continues to pay benefits today. The strike is still fresh in the memories of management, the media, shippers and investors. UPS management's eagerness to bargain early is a sign of how anxious they are to avoid coming close to a strike deadline.

2. **The pension cuts** are a threat to our members and union, but also an opportunity. Membership anger and expectations are high. That frustration needs to be shaped into a positive force for Teamster unity and power.

3. **The 100-year anniversary** takes place in 2007. The possibility of actions, leafleting and media outreach during the anniversary period is leverage that can be used.

4. **Change at the top.** Right now we have the chance to elect new leadership to the top of our union and put aggressive bargainers at the table with UPS.

5. **UPS is still at the top** of the heap. FedEx and DHL have expanded in recent years, giving UPS some cause for concern. But UPS is still and will continue to be in the lead. Their investments in Overnite and Menlo and their central position in China and other emerging markets put them in a strong position. They will want to capitalize on their position and not jeopardize it with a fight with the Teamsters Union.

We have power—if we are determined and have a leadership that knows how to use it.

UPS Fails to Change Calif. Lunch Break Law

This summer in California, UPS tried to enlist Teamsters in their effort to undermine litigation over the company's practice of forcing employees to work off the clock.

Faced with a major lawsuit involving violations of California wage and hours laws, UPS got the legislature to pass a bill giving unionized transportation companies an exemption from laws requiring lunch breaks during specified times in work shifts. A law designed for UPS!

In an effort to get the governor to sign the bill, management not only asked members to write support letters, they also instructed Teamsters to give them back to supervisors in unsealed envelopes! UPS could use copies of such letters in court to show that some drivers did not support the case, which involves millions of dollars in pay UPS owes for overtime worked through lunch periods.

The bill was opposed by other industry groups, including the California Manufacturers and Technology Association. Other businesses probably would have welcomed the deal, but not a special deal for UPS. Governor Schwarzenegger vetoed the bill in September.

BLET Fails Trainmen in El Paso

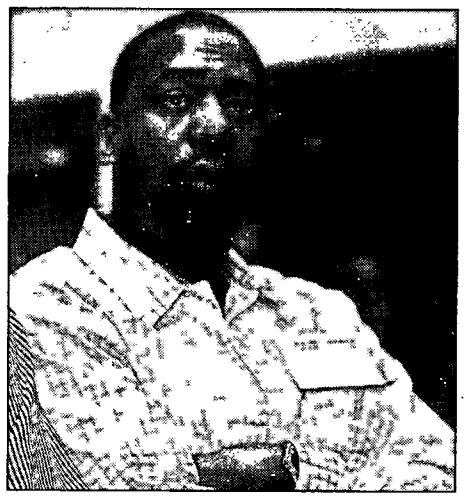
When the Brotherhood of Locomotive Engineers merged into the Teamsters two-and-a-half years ago, they added the words "and Trainmen" to the end of their name to signal that they welcomed conductors, brakemen, and switchmen (collectively know as trainmen). But now events in El Paso have led some to question how deep the commitment goes to these new Teamsters.

Two Unions Compete for Membership

Most trainmen are currently represented by the United Transportation Union (UTU), but across the country, there have been groups who felt dissatisfied with the UTU. In some cases, trainmen have been unhappy about the culture of corruption that landed prison sentences for top officers in 2004. Others simply felt that local leaders weren't up to the job. El Paso is one place where nearly 100 Union Pacific trainmen, the majority Latino or Black, made the switch to join the BLET.

Rail Teamsters work under unique labor law and contract provisions that allow union members to switch back and forth between the UTU and the BLET. The BLET bargains the national agreement for the engineers, the UTU bargains for the trainmen, but members can belong to either union and be represented at early stages of the grievance procedure by whichever union they belong to.

When El Paso trainmen started flooding into the BLET to avoid what they say was poor representation by the UTU, they were warmly welcomed by the local BLET division. But at higher levels, they have been left to fend for themselves as the UTU has initiated a change to prevent them from receiving any representation from the BLET. UTU members are voting on whether to ratify the change.



Chris Woods, above, is one of the trainmen looking for action from the BLET.

No Response from BLET

Threatened with losing one of the largest trainmen units in the BLET, one would expect the national officers to swing into action. After all, the large numbers of BLET trainmen in El Paso used to be a feather in the union's cap when it was at war with the UTU back in 2004. Now that the two unions have called a truce and have pledged to stop raiding each other, it ought to be even easier for President Don Hahs to get the UTU to call off hostilities in El Paso.

Chris Woods, Vice-Local Chairman for the trainmen in El Paso is demanding answers from Hahs. In a letter sent last week, he questions why Hahs is willing to ignore this obvious breach of good faith. He points out that many of the members he represents are minorities. He writes:

> "Fully aware that the BLET, in its origins, had other than a favorable impression of 'minority' employees, when it came to the issue of the position of Locomotive Engineer, [is] a matter well documented in not only the language of original BLE Constitution, but also, actions that were overturned in precedent-setting U.S. Supreme Court decisions. As such, it could be questionable, in my mind and the minds of those I represent, as to why the BLET has allowed this current matter to progress to its current stage."

Time is of the essence if Hahs is to act. Ballots are in Oct. 19.

Dues Money Funds Vacations for BLET President's Wife

Don Hahs, President of the Brotherhood of Locomotive Engineers Division of the Teamster Rail Conference, has spent more than $6,000 flying his wife to Alaska for a cruise, footing the bill for her airfare to various events, and paying for her meals on trips, according to documents obtained by TDU.

Other expenses for which Hahs has obtained reimbursement include use of a hotel mini-bar and in-room movies. Hahs, who receives a $35 daily "at home allowance" for time spent in Cleveland, also appears to have claimed the allowance for some days that he claimed reimbursement for hotel expenses in Washington, D.C.

Hoffa has an opportunity to prove to BLET members that he won't let their dues money be used in this way—will he investigate and take appropriate action?

Spread the Word

Keep everyone informed—order *Convoy Dispatch* by the bundle!

Convoy Dispatch is the best way to keep Teamsters up to date on what's going on in our union. Order a bundle today!

Price per issue includes shipping. Choose your quantity:

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(313) 842-2600. Fax (313) 842-0227. tdu@tdu.org

Rail Roundup

Canadian Rail Teamsters Set for First Election

A rank and file activist has set his sights on one of the top spots of the Teamsters Canada Rail Conference. This summer, members won the right to vote for their top three national officers by voting for bylaws changes proposed by Gerry Ranson of Division 320 in Vancouver. Subsequently, Ranson was nominated at the TCRC Convention in September to run for the office of vice president. He is running with incumbent Gilles Halle for president and Benoit Brunet for secretary-treasurer.

When asked what platform he is promoting as a candidate, Ranson replied, "Lean, mean, and above all, clean. The members must be in control of their union."

The date for the ballots to be mailed and counted has not yet been set, but the election will be completed by January.

BMWED Pac Fed Ballots Counted

Ballots were counted at the end of September in the first-ever direct election for officers of the Pacific Federation of the Brotherhood of Maintenance of Way Employes Division of the Teamsters. Previous elections were conducted by delegates from the 18 local lodges in the federation.

The election was hotly contested, and incumbent Louis Below held onto his general chairman seat by only 16 votes. Rank and file challengers won the other two top spots, with John Villalobos taking the vice-chairman's position and Jaime Marquez winning secretary-treasurer. Reformers also won at-large positions on the executive board.

The new officers attempted to block a dues increase that was pushed through the Pac Fed convention last week, but Below still retains control over many of the delegates.

Norfolk Southern Fears Slowdown

Management at Norfolk Southern fears that engineers and conductors may be using the power of collective action to squirrel up the system at the Buckeye Yard in Columbus, Ohio.

In late September, the company introduced remote-controlled locomotives, and since then things haven't been going too smoothly at the yard. As a result, NS has filed suit against two unions, the BLET and the UTU. According to an article in the *Columbus Dispatch*, the suit seeks an injunction against future slowdowns and compensation for lost revenue due.

But union leaders aren't so sure their members are the ones causing the problems. They say it's more likely that the new technology is at fault.

"I joined TDU because I want to be a part of an organization where I can get real information. Now if I have a question, I have someone to turn to who will give me an honest answer and not sugar-coat it. And if I have an idea or a concern, I can share it.

"In my local, if you don't yes the officials to death, you're considered a troublemaker. TDU give you the facts and lets you decide for yourself."

Bernadette Bradley
Local 237, NYC Health Dept. Police
New York

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ ZIP _____

Phone _____ Company _____

E-mail _____

❑ City ❑ Road ❑ Dock ❑ Clerical ❑ Warehouse ❑ Construction Other _____

___ $40 one-year membership & subscription to *Convoy Dispatch*

___ $95 three-year membership fee

___ $25 for spouses, retirees and Teamsters who gross less than $22,000 a year

❑ Check or money order or ❑ MC/Visa/AmEx/Discover # _____

Exp. Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

Freight Lines

Yellow Office Change of Operations Withdrawn

At the Sept. 21 Multi-Region Change of Operations meeting in Chicago, Yellow Transportation's VP of Labor Relations announced that the Yellow clerical Change of Operations was "withdrawn without prejudice" and that it would be "resubmitted before the end of the year." This was in response to a barrage of questions from Yellow's Teamster clerical members at terminals across the country. They demanded more information from the company about the change, how it was calculated, and how their jobs would be protected from future layoffs. Teamsters from Atlanta, Cleveland, Dallas, and Kansas City led the way, and attended the hearing to make sure this was not a done deal. Earlier reports were that the IBT Freight Division supported the change, but rank and file members and stewards asked for clarifications. As a result, the company is reworking the change.

ABF Premium Service Change of Ops Approved

ABF got the green light in September to institute "premium service" bids throughout the Eastern, Southern and Central regions (NMFA Article 18). Their goal is to capture a bite of the lucrative one- and two-day express freight market. Some concerns were raised over details of how the new service will work. Local 728 in Atlanta won the right to have PSE freight staged in a designated area within the terminal. However, there was no agreement on how this freight would be marked so that members and stewards can monitor it to make sure the service is being used, and not abused. Presumably, there will be specific bar codes or labels that allow for daily or weekly reports. Hopefully the ABF change will actually create new work, as called for under the contract (Article 20, Section 4). That was how premium service was pitched at ratification meetings in 2003: to help grow the company and Teamster work.

Graveyard Shift for Road Drivers?

Men who alternate between daytime and nighttime shift work, rather than working a fixed schedule, have triple the normal rate of prostate cancer, according to a Japanese nationwide study, as reported in the Sept. 23 *Science News*. A variable shift schedule, such as some nurses work, had previously been shown to increase the risk of breast cancer and colon cancer in women. The new finding supports a longstanding expectation that disrupting the 24-hour biological rhythm can cause tumors in men, too.

Kroger Outsources Louisville Delivery, Warehouse Work

The grocery industry outsourcing trend continues with Kroger's announcement that they will be transfering warehouse and delivery operations in Louisville to TransCorp Inc. and Zenith Logistics.

The new third-party operators quickly set the stage for their bargaining strategy by handing Local 89 members packets with job applications and info on wage and benefit cuts.

Neither Local 89 nor the Warehouse Division have taken steps to counter these scare tactics, or put in place the kind of campaign needed to protect the contract.

When members confronted Hoffa and Keegel, who were campaigning in Louisville in mid-October, the officers actually tried to blame Kroger's outsourcing move on Ron Carey and Tom Leedham!

"That was over ten years ago, and a few contracts ago," one member noted. "What have you done for us in the past decade?"

Ask the Teamster Troublemaker

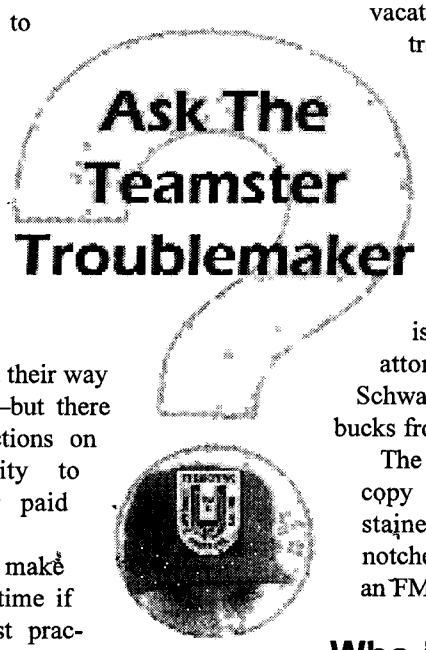
Sick and Tired of Using Vacation for FMLA Time

Dear Teamster Troublemaker: I put in for leave under the Family Medical Leave Act. The company told me that I have to use all my vacation time and personal days. Can they really do that? I thought the whole point of FMLA is that it's extra, unpaid leave.

Ticked Off in Tennessee

Dear Ticked Off: I don't blame you for being ticked off. Can your boss get away with it? That depends. Here's what you need to know.

When the FMLA was being debated by Congress, big business demanded the right to force employees to substitute paid leave (vacation, personal time, etc.) for unpaid FMLA leave. Obviously, the goal is to discourage us from taking FMLA leave at all.



The employers got their way with the politicians—but there are important restrictions on management's ability to make us burn our paid leave.

Employers can't make us use our vacation time if our contract—or past practice—gives us the exclusive right to choose our vacation schedules. And that's the case at most Teamster jobs.

The bad news is that some Teamster contracts include language that waives this protection, including our master agreements in freight, carhaul and at UPS. For example, Article 16 of the UPS agreement says, "The Employer may require the employee to substitute accrued paid vacation or other paid leave…"

"May" doesn't mean "must" and some managers will do the right thing. But UPS has used this language to screw a lot of Teamsters.

The good news is that when you give FMLA notice, the company has to tell you within two days that they will force you to take paid leave. If the company fails to notify you within two days, they cannot retroactively make you use paid leave for FMLA leave you've already taken. But they can make you use paid leave for any additional FMLA leave you take after they notify you. (Troublemaker doesn't write these rules; he just tells you like it is.)

Finally, management can only make us use vacation time during periods when we are normally allowed to schedule vacation. Some Teamster contracts require that vacation be scheduled in specific months. In such cases, the employer can't force members to use vacation leave as part of our FMLA leave.

The best FMLA guide, hands down, is the *FMLA Handbook* by attorney Robert M. Schwartz—available for thirteen bucks from TDU.

The Teamster Troublemaker's copy is dog-eared and coffee-stained—and carved full of notches for every time I've won an FMLA grievance.

Who is the Teamster Troublemaker?

Employers are quick to label any Teamster who sticks up for the contract or questions management's authority as a "troublemaker." *Ask the Teamster Troublemaker* is a column dedicated to spreading the information that "troublemakers" need to enforce members' rights and build a stronger Teamsters Union.

If you have a question or comment for the Teamster Troublemaker, call TDU at (313) 842-2600 or email us at info@tdu.org.

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Jason Ide
Local 814, Commerical Movers
New York

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Local 728, Roadway
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